

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80300 of 2024

Arising Out of PS. Case No.-995 Year-2024 Thana- Excise P.S. District- Purnia

Md. Masuk S/O Md. Gyas R/O Villl.- Lalganj, Ward No- 5 , P.S - Maranga,Dist.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Bhagat, Advocate
For the State : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-11-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Excise P.S. Case No. 995 of 2024 for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 08.10.2024 by the informant, Niraj Kumar.

3. As per the prosecution story, the informant alleged that during vehicle checking, it intercepted a Toto Rickshaw and there is recovery/seizure is of 39 liters of foreign liquor, this led to the F.I.R.

4. Learned counsel for the petitioner submits that he is not the owner of the vehicle, has no criminal antecedent and is in custody since 09.10.2024 (paragraph no.1 of the petition).

5. Learned APP for the State opposes the prayer for



bail.

6. Considering the submissions put forward by the parties as also the fact that he does not own the vehicle and is in judicial custody since 09.10.2024 having no criminal antecedent, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Judge (Excise-2), Purnea in connection with Excise P.S. Case No. 995 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in now way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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